

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

NEPTUNE TECHNOLOGIES &
 BIORESSOURCES, INC.,

Plaintiff,

vs.

LUHUA BIOMARINE (SHANDONG) CO., LTD.,

Defendant.

Case No. 2:15-cv-01911-GMN-CWH

ORDER

Presently before the Court is Plaintiff Neptune Technologies & Bioresources, Inc.'s Motion for Refund of Cash Deposit (ECF No. 49), filed on April 6, 2016. Defendant Luhua Biomarine (Shandong) Co., Ltd. did not file a response.

On October 7, 2015, the Court entered a temporary restraining and seizure order in this case. (Order (ECF No. 8).) As security for the temporary restraining and seizure order, Plaintiff deposited \$50,000.00 with the Court on October 7, 2015. (Certificate of Cash Deposit (ECF No. 9).) Since the Court entered the temporary restraining and seizure order, the parties resolved their dispute and stipulated to the dismissal of this case without prejudice, which the Court approved. (Order (ECF No. 47).) Plaintiff now requests that the Clerk of Court refund to Plaintiff the \$50,000.00 that Plaintiff deposited with the Court. Given that the case has been dismissed and that Defendant does not oppose the motion, the Court will grant the motion. *See* LR 7-2(d) (stating that the failure of an opposing party to respond to a motion constitutes a consent to the granting of the motion).


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1 IT IS THEREFORE ORDERED that the Clerk of Court must refund to Plaintiff Neptune
2 Technologies & Bioresources, Inc. the \$50,000.00 bond deposited with the Court on October 7,
3 2015 (ECF No. 9).

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5 DATED: May 12, 2016

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8 **C.W. Hoffman, Jr.**
9 **United States Magistrate Judge**
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